



Matthew L. Johnson (6004)  
JOHNSON & GUBLER, P.C.  
8831 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Telephone: (702) 471-0065  
Facsimile (702) 471-0075  
[mjohnson@mjohnsonlaw.com](mailto:mjohnson@mjohnsonlaw.com)  
Bankruptcy Counsel for Debtor

D. Lee Roberts, Jr., Esq. (8877)  
Matthew I. Kramer, Esq. (15261)  
Sebastian Cribari, Esq. (15888)  
WEINBERG, WHEELER, HUDGINS,  
GUNN & DIAL, LLC  
6385 South Rainbow Blvd., Suite 400  
Las Vegas, Nevada 89118  
Telephone: (702) 938-3838  
Facsimile: (702) 938-3864  
[lroberts@wwhgd.com](mailto:lroberts@wwhgd.com)  
[scribari@wwhgd.com](mailto:scribari@wwhgd.com)  
*Proposed Special Litigation Counsel for Plaintiff 21<sup>st</sup> Century  
Communities Inc., FCT-MM, LLC, and FCT-SM, LLC*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

21<sup>st</sup> CENTURY COMMUNITIES, INC., FCT-  
MM, LLC, and FCT-SM, LLC,

Plaintiffs

vs.

FALLBROOK CAPITAL SECURITIES  
CORPORATION; FMI ASSET  
MANAGEMENT, LLC; ROSE EATON, an  
individual; BRANDT BLANKEN, an individual;  
IDACORP FINANCIAL SERVICES, INC.;  
DOES I-X; and ROE CORPORATIONS I-X,

Defendants

Case No. 2:24-cv-00131-CDS-MDC

**STIPULATION AND ORDER TO  
EXTEND DEADLINES RELATING TO  
MOTION TO DISMISS**

**(First Request)**

Plaintiffs 21<sup>st</sup> Century Communities, Inc., FCT-MM, LLC, and FCT-SM, LLC  
(collectively, "Plaintiffs"), and Defendants Fallbrook Capital Securities Corporation, FMI Asset  
Management, LLC, Rose Eaton, Brandt Blanken, and Idacorp Financial Services, Inc. (collectively,  
"Defendants") (together with Plaintiffs, the "Parties") by and through their respective undersigned  
counsel, hereby respectfully submit this Stipulation and Order to extend all deadlines relating to  
Defendants' pending Motion to Dismiss. (ECF No. 7).

**STIPULATION**

The Parties hereby stipulate that all deadlines relating to Defendants' pending Amended Motion to Dismiss or in the Alternative to Transfer to United States District Court for Western District of Tennessee, filed February 2, 2024 (the "Motion"), (ECF No. 7), shall be extended by two weeks. Specifically, Plaintiffs' deadline to respond to the Motion shall be extended until March 1, 2024, and Defendants' deadline to reply to the response shall be extended accordingly.

The Parties have recently engaged in productive discussions regarding a resolution of the issues relating to this action and Defendants' Motion. However, this extension of time is needed to allow the Parties time to finalize their plan of action relating to those issues.

The requested extension is made in good faith and is not for purposes of delay. This is the first stipulation for extension of time relating to Defendants' Motion.

The Parties waive no rights, claims, or defenses by this Stipulation.

**IT IS SO STIPULATED.**

Dated this 16th day of February, 2024.

/s/ Sebastian Cribari

D. Lee Roberts, Jr., Esq.

Matthew I. Kramer, Esq.

Sebastian Cribari, Esq.

WEINBERG, WHEELER, HUDGINS,

GUNN & DIAL, LLC

6385 S. Rainbow Blvd., Suite 400

Las Vegas, NV 89118

*Proposed Special Litigation Counsel for  
Plaintiffs 21<sup>st</sup> Century Communities, Inc.,  
FCT-SM, LLC, and FCT-MM, LLC*

Dated this 16th day of February, 2024.

/s/ R. Christopher Reade (w/ permission)

Timothy S. Cory, Esq.

Nevada Bar No. 001972

R. Christopher Reade, Esq.

Nevada Bar No. 006791

CORY READE DOWS AND SHAFER

1333 North Buffalo Drive, Suite 210

Las Vegas, Nevada 89128

(702) 794-4411

*Attorneys for Defendants IDACORP  
FINANCIAL SERVICES, INC., FALLBROOK  
CAPITAL SECURITIES CORPORATION,  
FMI ASSET MANAGEMENT, LLC and ROSE  
EATON*

**IT IS SO ORDERED:**

  
United States District Judge

Dated: February 21, 2024

